

**Attorney General's Office—**

For telegraphing and stationery, \$22.99, registered.

**Deaf, Dumb and Blind Asylum for Colored Youths, Austin—**

For groceries, provisions, miscellaneous, etc., \$70.89, registered.

**Agricultural and Mechanical College—**

For payment of expense incurred in boring artesian well, \$5117.91, registered.

**Insane Asylum at Terrell—**

General repairs, \$2402.31, registered.

Carpenter shop, paint shop and dead house, \$56.40, registered.

Building bake oven, \$588.25, registered.

Wagons, hacks and harness, \$33.90, registered.

Contingent expenses, \$177.70, registered.

Medical stores, \$486.40, registered.

Trees, seed and stock, \$91.90, registered.

Extension of sewer, \$140, registered.

A. M. Dolph & Co.'s bill for laundry machinery, \$1012.39, registered.

John Van Runge bill for kitchen furniture, \$810.95, registered.

**Deficiencies remaining from year ending March 1, 1891—**

Furniture and beds, \$231.05, registered.

Groceries, fuel, light and water, \$239.25, registered.

General repairs, \$49.28, registered.

Trees, seed and stock, \$96.60, registered.

Contingent expenses, \$124.40, registered.

Literature and amusements, \$17.50, registered.

**Public Printing—**

Registered and estimated, \$5,867.06.

**Miscellaneous—**

Election booths under the Australian ballot system, \$4031.24, registered.

For refunding to liquor dealers, \$4500, registered; \$500, estimated.

**Contingent expenses—**

For called session, Twenty-second Legislature, \$2554.70, registered.

For cost in escheated cases, \$500, registered.

For pay of D. T. Webb, a special pensioner, for the year 1891 and 1892 (omitted from the general appropriation bill of 1891), \$200, registered.

Provided, that no part of the appropriation herein made for the salaries of special judges shall be applied to the payment of any such judges, who, sitting as judges of the criminal court of appeals shall have held under ad-

visement for as long a period as three months the case or cases that they were appointed to try, thereby denying persons charged with crime the constitutional rights of a speedy trial, and depriving them of their liberty.

Sec. 2. The fact that there is no appropriation to pay the claims herein stated, which are registered and estimated as outstanding against the State, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each House, and this act should take effect from and after its passage, and it is so enacted.

On motion of Senator McComb, the Senate adjourned till to-morrow morning at 10 o'clock.

**SIXTY-THIRD DAY.**

SENATE CHAMBER,  
AUSTIN, TEXAS, March 24, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

**PRESENT—28.**

Agnew,	Imboden,
Atlee,	Jester,
Baldwin,	Kearby,
Boren,	Lawhon,
Bowser,	McComb,
Browning,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Greer,	Woods,
Hutchison,	Yoakum.

**ABSENT—1**

Lewis.

**EXCUSED—2.**

Swayne, Whitaker.

Prayer by the chaplain, Dr. Briggs, as follows:

O Lord, our Father, teach us while we labor here to do Thy will, and may it be done with simplicity, obedience, cheertfulness and courage. May we take nothing away from Thy law, nor impair in any degree Thy righteousness. May we rather seek to do our utmost to make Thy righteousness regnant in the earth. Make us equal to the daily trouble

and perplexity. Lift us away from the immediate tumult and give us vision of the future. The future! How blue its skies, how green its gardens, and how full of life its sunny air! May it dawn in glory safe and sure. And may our words and deeds be among the messengers who go before its face and prepare the way for its coming. And to Thy name be all the praise. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Boren, the reading of the same was suspended.

#### PETITIONS AND MEMORIALS.

By Senator Cranford:

Petition of 197 citizens of Delta county against the bill to diminish the civil and criminal jurisdiction of the county court of that county.

Read and referred to Judiciary Committee No. 1.

#### COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to whom was referred

House bill No. 44, entitled "An act to authorize the rescue of girls and boys under the age of 12 years from the custody of improper persons,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

McKINNEY, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 23, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 218, being "An act to amend article 2389, chapter 3, title 42 of the Revised Civil Statutes of the State of Texas,"

And find the same correctly engrossed.

PRESLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 23, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 108, entitled "An act to amend title 7, chapter 4, of the Code of Criminal Procedure of the State of Texas, by amending articles 481 and 483 of said title and chapter, and also to further amend the title and chapter by adding thereto articles 483a, 483b and 483c, to enforce the attendance of

witnesses in obedience to subpoenas in criminal cases, and to provide for collecting fines which may be imposed upon such witnesses,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

KEARBY, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 23, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate joint resolution No. 1, to amend section 16, article 16 of the Constitution of the State of Texas,

And find the same correctly engrossed.

PRESLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 274, entitled "An act to amend an act to designate what counties shall compose the Twentieth judicial district of the State of Texas, and to fix the times of holding courts therein, approved March 30, 1887, at the regular session of the Twentieth Legislature, amended February 15, 1889, amended March 5, 1889, so that the same shall hereafter read as follows,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

Call concluded.

Senator Jester called up free conference committee report on

Senate substitute deficiency appropriation bill for substitute House deficiency appropriation bills Nos. 190 and 240, a bill to be entitled "An act making appropriations for registered and estimated deficiencies in the appropriations for the support of the State government from March 1, 1891, to February 28, 1893, and for previous years,"

And moved its adoption.

Adopted by the following vote:

YEAS—26.

Agnew,	Imboden,
Atlee,	Jester,
Baldwin,	Kearby,
Boren,	Lawhon,
Bowser,	McComb,
Browning,	McKinney,
Crowley,	Presler,

Dean,  
Dickson,  
Douglass,  
Goss,  
Greer,  
Hutchison,  
Simpson,  
Smith,  
Steele,  
Tips,  
Woods,  
Yoakum.

NAYS—none.

ABSENT—3.

Cranford,  
Lewis,  
Shelburne.

EXCUSED—3.

Swayne,  
Whitaker.

Senator Goss moved to recommit the following substitute House bills to the Committee on Education:

Substitute House bills Nos. 30, 115, etc., entitled "An act to provide for the more efficient system of public free schools for the State of Texas, defining the school funds, providing for the investment of the permanent fund and the apportionment of the available fund; defining the duties of certain State officers in reference to the public free schools; creating the offices of State and county superintendents; providing for their election and salary, and prescribing their qualification and duties; prescribing the duties of other officers in reference to public schools and public school funds; making county judges ex-officio county superintendents, and providing for their compensation; providing for the election of school trustees, and prescribing their qualifications and duties; providing for the creation of school districts in all the counties of this State; providing for the levy and collection of special taxes for the further maintenance of the public free schools and the erection of school houses; providing for boards of examiners and the issuance of teachers' certificates; providing compensation and prescribing the duties of teachers employed thereunder, and preventing the altering or changing of teachers' certificates; regulating the transfer of school funds; fixing the scholastic age; providing for taking the scholastic census; authorizing trustees to administer oaths, and providing penalties for refusing to answer questions in regard to the age of children, and other penalties for the violation of this act; and declaring an emergency."

Senator Baldwin moved to table the motion to recommit.

Carried by the following vote:

YEAS—18.

Baldwin,  
Boren,  
Bowser,  
Kearby,  
McComb,  
McKinney,

Dean,  
Dickson,  
Goss,  
Greer,  
Hutchison,  
Jester,  
Presler,  
Shelburne,  
Simpson,  
Steele,  
Woods,  
Yoakum.

NAYS—11.

Agnew,  
Atlee,  
Browning,  
Cranford,  
Crowley,  
Douglass,  
Imboden,  
Lawhon,  
Lewis,  
Smith,  
Tips.

EXCUSED—2.

Swayne,  
Whitaker.

Senator Dean moved to reconsider the vote tabling the motion to recommit.

Reconsidered by the following vote:

YEAS—15.

Agnew,  
Atlee,  
Browning,  
Cranford,  
Crowley,  
Dean,  
Douglass,  
Goss,  
Imboden,  
Lawhon,  
Lewis,  
McComb,  
Presler,  
Smith,  
Tips.

NAYS—13

Baldwin,  
Boren,  
Dickson,  
Greer,  
Hutchison,  
Jester,  
Kearby,  
McKinney,  
Shelburne,  
Simpson,  
Steele,  
Woods,  
Yoakum.

ABSENT—1.

Bowser.

EXCUSED—2.

Swayne,  
Whitaker.

Senator Baldwin's motion to recommit was then readopted by the following vote:

YEAS—15.

Baldwin,  
Boren,  
Browning,  
Dickson,  
Greer,  
Hutchison,  
Jester,  
Kearby,  
McKinney,  
Presler,  
Shelburne,  
Simpson,  
Steele,  
Woods,  
Yoakum.

NAYS—23.

Agnew,  
Atlee,  
Cranford,  
Crowley,  
Dean,  
Douglass,  
Goss,  
Imboden,  
Lawhon,  
Lewis,  
McComb,  
Smith,  
Tips.

ABSENT—1.

Bowser,

EXCUSED—2.

Swayne,  
Whitaker.

## HOUSE MESSAGES.

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, March 23, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill to-wit:

House bill No. 405, "An act to amend articles 4742, 4743, 4743a, and 4744, of the Revised Civil Statutes of the State of Texas, and to repeal articles 4761, 4762, 4763, 4764, 4765 and 4766 of the Revised Civil Statutes of the State of Texas, and to repeal all laws in conflict herewith, and to provide penalties for violations of this act."

Passed by two-third vote; yeas 86, nays 9.

Respectfully,

CHESTER HAILE,  
Acting Chief Clerk House of Representatives.

## IN SENATE.

House bill No. 405, being "An act to amend articles 4742, 4743, 4743a, and 4744, of the Revised Civil Statutes of the State of Texas, and to repeal articles 4761, 4762, 4763, 4764, 4765 and 4766 of the Revised Civil Statutes of the State of Texas, and to repeal all laws in conflict herewith, and to provide penalties for the violations of this act."

Read and referred to Committee on Finance.

## UNFINISHED BUSINESS.

The Chair laid before the Senate, Senate bill No. 181, entitled "An act entitled an act to amend articles 423, 424, 425, 426, 427, 428, 429 of the Penal Code of the State of Texas, and the several acts of the Legislature of the State of Texas amendatory thereof," on its second reading.

By Senator Browning:

Strike out article 428a and insert in lieu thereof as follows:

Art. 428a. It shall be unlawful for any person to net any quail or partridge in this State.

By Senator Shelburne:

Substitute:

Amend article 428a by adding the words: "Provided, that the provisions of this article shall not be construed to prevent any person from trapping quail for home consumption on land owned by such person."

Adopted.

Senator Browning moved to reconsider the vote by which the substitute was adopted.

Lost.

By Senator Agnew:

Amend the amendment as substituted: Amend by striking out article 429a, lines 4 and 5, the words "during the night time."

Lost.

By Senator Kearby:

Substitute the amendment as substituted:

Amend article 428a by adding the following:

"Provided, this article shall not be so construed as to prohibit persons from trapping or netting quail on their own lands or on the lands of another, when the owner of such lands shall give his consent to such trapping or netting in writing; provided further, that no trapping or netting shall be allowed for catching quail for sale or market."

Senator Shelburne accepted the substitute, and the same was

Adopted.

The amendment and substitute as substituted was then adopted.

By Senator Yoakum:

Amend by striking out articles 428b, 429a and 429b.

Senator Browning asked for a division of the amendment.

Ordered.

Article 428b stricken out.

Second and third divisions lost.

By Senator Shelburne:

Substitute for article 429b the following:

Article 429b. Killing of antelope during certain months:

"It shall be unlawful for any person in this State to hereafter kill, chase with dogs, ensnare, trap or otherwise destroy any antelope during the period of time of each year embraced between the first day of January and the first day of August."

By Senator Kearby:

Amend the substitute as follows:

Amend by inserting the word "capture" between the words "otherwise" and "or" in line 4 of original bill.

Senator Shelburne accepted the amendment.

The substitute as amended was adopted.

Senator Steele moved to reconsider the vote by which the Senate refused to strike out article 429a.

Senator Baldwin moved to table the motion to reconsider.

Lost.

The motion to reconsider was then lost.

By Senator Agnew:

Amend by striking out article 428a.



Senator Shelburne moved to table the amendment.

Tabled.

By Senator Dickson:

Amend by exempting "Freestone county" from "article 429a."

Senator Baldwin moved to table the amendment.

Lost.

By Senator Agnew:

Amend the amendment:

Amend by adding "Fannin and Lamar counties."

Lost.

By Senator Kearby:

Amend the amendment, Dickson's:

Amend by adding the following:

"Rains, Wood, Smith, Upshur, Gregg and Van Zandt counties" be exempted from the operations of "article 429a."

Lost.

Senator Dickson's amendment was then lost.

By Senator Cranford:

Amend by adding the following to article 429k: "Provided, however, that the following counties shall be exempted from the provisions of this act: Hopkins, Delta, Franklin, Camp, Titus and Red River.

Lost.

By Senator Smith:

Amend by striking out article 429c.

Lost.

By Senator Goss:

Amend article 429a by striking out the words "during the night time," and adding "with a swivel gun, gatling gun, young cannon or blunderbuss."

By Senator Imboden:

Amend the amendment by striking out the last word.

Senator Baldwin moved to table both the amendment and the amendment to the amendment.

Tabled.

By Senator Kearby:

Amend article 429c by striking out the word "law," in line 6, page 4.

Adopted.

Senator Browning moved to reconsider the vote by which Senator Smith's amendment was lost.

Senator Baldwin moved to table the motion to reconsider.

Tabled by the following vote:

YEAS—15.

Atlee,	Lawhon,
Baldwin,	McComb,
Crowley,	Presler,
Dean,	Shelburne,
Dickson,	Simpson,
Greer,	Tips,
Imboden,	Yoakum.
Jester,	

NAYS—12.

Agnew,	Hutchison,
Boren,	Kearby,
Browning,	Lewis,
Cranford,	Smith,
Douglass,	Steele,
Goss,	Woods.

ABSENT—2.

Bowser, McKinney.

EXCUSED—2.

Swayne, Whitaker.

By Senator Yoakum:

Amend article 429 by striking out the words "mocking bird" and "night-hawk."

Senator Baldwin moved to table the amendment.

Lost.

Senator Yoakum then withdrew his amendment and moved to adjourn to 3 p. m. to-day.

Lost.

By Senator Steele:

Amend by striking out the enacting clause.

Senator Baldwin moved to table the amendment.

Tabled by the following vote:

YEAS—17.

Atlee,	Lawhon,
Baldwin,	Lewis,
Crowley,	McComb,
Dean,	Presler,
Dickson,	Shelburne,
Greer,	Simpson,
Hutchison,	Smith,
Imboden,	Tips.
Jester,	

NAYS—11.

Agnew,	Kearby,
Boren,	McKinney,
Browning,	Steele,
Cranford,	Woods,
Douglass,	Yoakum.
Goss,	

ABSENT—1.

Bowser.

EXCUSED—2.

Swayne, Whitaker.

By Senator Lewis:

Amend article 429c by adding the words "as game" after the word "possession" in line 3, and striking out the words "as game" in line 4.

Adopted.

By Senator Simpson:

Amend article 426a, line 5, by striking out "April" and inserting "March."

Pending further action, on motion of Senator Cranford, Senate adjourned to 3 p.m. to-day, by the following vote:

## YEAS—14.

Agnew,	Kearby,
Boren,	McComb,
Browning,	McKinney,
Cranford,	Presler,
Dickson,	Steele,
Goss,	Woods,
Greer,	Yoakum.

## NAYS—13.

Atlee,	Lawhon.
Baldwin,	Lewis,
Dean,	Shelburne.
Douglass,	Simpson,
Hutchison,	Smith,
Imboden,	Tips.
Jester,	

## ABSENT—2.

Bowser,	Crowley.
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## EXCUSED—2.

Swayne,	Whitaker.
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## AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present the following Senators answering to their names:

## PRESENT—29.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McComb.
Browning,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Greer,	Woods.
Hutchison,	Yoakum.
Imboden,	

## EXCUSED—2.

Swayne,	Whitaker.
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Senator Jester called up

Substitute Senate bill No. 76, entitled "An act making appropriation for the support of the State government beginning February 28, 1893, and ending February 28, 1895, to cover deficiencies and for other purposes," on second reading.

Pending question being the consideration of appropriation for public buildings and grounds.

By Senator Simpson:

Amend by striking out lines 17 and 18 on page 10.

Adopted.

By Senator Shelburne:

Amend by striking out "\$720," in line 16, page 9, and insert in lieu thereof "\$900" in each column.

Lost.

By Senator Kearby:

Amend by striking out the following: "Salary of man to look after sewer and keep cemetery grounds and capitol building grounds in order, \$720 for 1894 and \$720 for 1895, lines 12, 13 and 14, page 9.

Adopted.

The Chair gave notice of signing and did sign

Senate substitute deficiency appropriation bill for substitute House deficiency appropriation bills Nos. 190 and 240, a bill to be entitled "An act making appropriations for registered and estimated deficiencies in the appropriations for the support of the State government from March 1, 1891, to February 28, 1893, and for previous years."

After the caption of same had been read.

Senator Hutchison moved to reconsider the vote by which the amendment offered by Senator Kearby was adopted, and the same was ordered spread on the journal.

By Senator Crowley:

Amend page 10, line 31 by adding after the word "House" the following: "And for purchase of two boilers," and strike out "\$2000" and insert in lieu thereof "\$4000."

Adopted.

By Senator Simpson:

Amend by inserting after line 37, page 10:

"For repairing and beautifying the capitol grounds \$25,000."

Senator Baldwin moved to table the amendment.

Lost by the following vote:

## YEAS—10.

Baldwin,	Imboden,
Boren,	Kearby,
Bowser,	Smith,
Cranford,	Woods
Douglass,	Yoakum.

## NAYS—17.

Agnew,	Lawhon,
Atlee,	Lewis.
Browning,	McComb,
Crowley,	McKinney,
Dean,	Shelburne,
Dickson,	Simpson,
Greer,	Steele,
Hutchison,	Tips.
Jester,	

## ABSENT—1.

Goss,	Presler.
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## EXCUSED—9.

Swayne,	Whitaker.
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By Senator Kearby:

Amend the amendment by striking out "twenty-five" and insert in lieu thereof "ten."

Lost.

The amendment was then lost by the following vote:

YEAS—9.

Agnew,	Lewis,
Atlee,	McComb,
Crowley,	Shelburne,
Greer,	Simpson.
Hutchison,	

NAYS—17.

Baldwin,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Smith,
Cranford,	Steele,
Dickson,	Tips,
Douglass,	Woods,
Imboden,	Yoakum.
Jester,	

ABSENT—3.

Dean,	Presler.
Goss,	

EXCUSED—2.

Swayne,	Whitaker.
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By Senator Crowley:

Amend by inserting after the word "tools" on page 10, line 37 "for repairing and terracing walks and beautifying capitol grounds \$1,000,000."

Senator Jester moved to lay the amendment on the table.

Tabled by the following vote:

YEAS—17.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Browning,	Lewis,
Cranford,	McKinney,
Dickson,	Smith,
Douglass,	Woods,
Hutchison,	Yoakum.
Imboden,	

NAYS—7.

Baldwin,	Simpson,
Crowley,	Steele,
Dean,	Tips.
Shelburne,	

ABSENT—5.

Bowser,	McComb,
Goss,	Presler.
Greer,	

EXCUSED—2.

Swayne,	Whitaker.
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Senator Imboden called up Senator Hutchison's motion to reconsider the vote adopting Senator Kearby's amendment, to-wit:

Amend by striking out the following: "Salary of man to look after

sewer and keep cemetery grounds and Capitol building grounds in order, \$720 for 1894 and \$720 for 1895, lines 12, 13 and 14, page 9."

Senator Kearby moved to lay the motion to reconsider on the table.

Lost by the following vote:

YEAS—11.

Boren,	Simpson,
Dickson,	Smith,
Douglas,	Steele,
Kearby,	Wood,
Lewis,	Yoakum.
McKinney,	

NAYS—16.

Agnew,	Greer,
Atlee,	Hutchison,
Baldwin,	Imboden,
Bowser,	Jester,
Browning,	Lawhon,
Cranford,	McComb,
Crowley,	Shelburne,
Dean,	Tips.

ABSENT—2.

Goss,	Presler.
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EXCUSED—2.

Swayne,	Whitaker.
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The vote was then reconsidered.

Senator Kearby's amendment was lost by the following vote:

YEAS—8.

Boren,	Lewis,
Dickson,	Smith,
Douglass,	Woods,
Kearby,	Yoakum.

NAYS—17.

Agnew,	Jester,
Atlee,	Lawhon,
Baldwin,	McComb,
Browning,	McKinney,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Steele,
Hutchison,	Tips.
Imboden,	

ABSENT—4.

Bowser,	Greer,
Goss,	Presler.

EXCUSED—2.

Swayne,	Whitaker.
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By Senator Crowley:

Amend by inserting after the word "tools" on page 10, line 37 the following: "To terrace walk from entrance of Capitol grounds to building \$15000."

Lost.

JUDICIARY DEPARTMENT.

Items read.

By Senator Jester:

Amend page 11 by striking out "\$450,000" and insert "410,000."

Adopted.

By Senator Yoakum:

Amend by striking out "\$132,000" in line 1, page 10, and insert "\$132,500" for 1895.

Adopted.

By Senator Jester:

Amend page 11, line 19, by striking out "\$125,000," and insert "\$112,500."

Withdrawn.

#### SUPREME COURT.

Items read.

#### CRIMINAL COURT OF APPEALS.

Items read.

#### CIVIL COURT OF APPEALS—GALVESTON DISTRICT.

Items read.

By Senator Hutchison:

Amend line 4, under civil court of appeals by striking out "\$600" and insert "\$500."

Adopted.

By Senator Simpson:

Amend by striking out "\$50 per month" in line 4.

Adopted.

#### CIVIL COURT OF APPEALS—FORT WORTH, TEXAS.

Items read.

By Senator Crowley:

Amend by striking out on page 13, line 1, the name B. D. Tarlton; line 2, H. O. Head; line 3, I. W. Stephens; line 4, B. McDonald.

Adopted.

By Senator Yoakum:

Amend by adding after "stationery," in line 11, the following: "And furniture for judge's room, \$3000."

Withdrawn temporarily.

By Senator Steele:

Amend by striking out "\$500," in line 13, page 13, and insert "\$250."

By Senator Crowley:

Amend the amendment by striking out "\$250" and inserting "\$300."

By Senator Browning:

Substitute the amendment and the amendment to the amendment: Strike out "incidentals," in line 13; also "\$500," where it appears in line 13.

Senator Crowley's amendment to Senator Steele's amendment was lost.

Senator Steele accepted Senator Browning's substitute.

The amendment as substituted was then adopted.

By Senator Crowley:

Amend by inserting on page 13, line 13, "fire, fuel, lights, \$500."

Adopted.

By Senator Imboden:

In line 9, after "postage," add "and contingent" and strike out "\$250" and insert "\$500."

Lost.

By Senator Lewis:

Strike out in line 12, "telegrams and freight, \$125."

Adopted.

Senator Dean moved to reconsider the vote by which Senator Lewis' amendment was adopted.

Senator Imboden moved to table the motion to reconsider.

Lost.

The motion to reconsider was then lost.

By Senator Imboden:

Strike out the words "civil court of appeals" where occurring on pages 12 and 13 and in lieu thereof insert the words "court of civil appeals."

By Senator Lawhon: Substitute:

Amend by striking out the word "criminal" on page 13, between lines 12 and 1 and inserting said word between the words "of" and "appeals" between same lines, and change the word "civil" so as to place it between the words "of" and "appeals," where these words occur on pages 12 and 13.

Senator Imboden accepted the substitute.

The amendment as substituted was then adopted.

By Senator Hutchison:

Amend line 11 by adding after "stationery" the words "and books" and strike out "\$500" and insert "\$1500."

By Senator Imboden:

Substitute:

Before the word "stationery" in line 11 add the words "books and."

Adopted.

The amendment as substituted was then adopted.

Senator Simpson moved to adjourn till 10 o'clock to-morrow.

Lost.

#### CIVIL COURT OF APPEALS—AUSTIN.

Items read.

By Senator Crowley:

Amend by inserting on page 13, line 1, under head "Third supreme judicial district, Austin, Texas, \$10,500," in lieu of "\$10,600."

Adopted.

By Senator Steele:

Amend by striking out "\$1000" in line 7, Third district, and insert "\$500."

By Senator Simpson :

Substitute:

Amend by striking out "and incidental expenses \$1000, \$1000," in line 7, page 13, and inserting "\$500, \$500."

Senator Steele accepted the substitute.

The amendment as substituted was then adopted.



By Senator Douglass:

In line 8, page 13, strike out "\$600," and insert "\$250."

Adopted.

By Senator Imboden:

In line 4, strike out "two porters" and insert "porter," and strike out "\$720" and insert "\$360."

By Senator Yoakum:

Substitute:

Amend by striking out "two," in line 4, page 13, and insert "one," and strike out "\$720" and insert "\$360."

Lost.

Senator Imboden's amendment was then adopted.

By Senator Baldwin:

Amend by adding after the said section the following: "For judges, reporters and clerks of such courts of civil appeals and other courts as may be created by the Legislature for the two years, \$50,000."

Senator Douglass moved to table the amendment.

Tabled.

Senator Tips made the following privileged report:

#### COMMITTEE ROOM,

AUSTIN, TEXAS, March 24, 1893.

Hon. M. M. Crane, President of the Senate and Hon. J. H. Cochran, Speaker of the House of Representatives:

Sirs: Your free conference committee, to whom was referred the difference existing between the two Houses on

Senate bill No. 145, a bill to be entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-second Legislature, chapter 101, page 161,"

Beg leave to report that we have had the same under consideration, and respectfully recommend:

1. That the following House amendment to-wit: "Amend by adding subdivision 44 as follows: 'To prevent cruelty to women, children and animals,' be substituted so as to read as follows: 'Amend by adding subdivision 44 as follows: 'For the protection of women and children and for the prevention of cruelty to animals,' and that the amendment as substituted be adopted.

2. That the House recede from the following amendments:

(a). Amend article 566 by inserting the following in subdivision 6, line 2, after the word "therewith," "with the authority to charge and collect tolls for the use of such roads."

(b). Amend subdivision 25 by inserting the words "at wholesale," after the word "description," in line 2.

(c). Amend subdivision 24 by striking out after "ten" in line 3, down to "provided," in line 6.

(d). Amend subdivision 25 by adding after the word "wholesale," "and retail combined, or at wholesale only."

(e). Amend subdivision 6, page 2, by adding after the word "roads," "Provided the rate of tolls charged shall be fixed by the county commissioners court of the county in which such roads are constructed."

(f). Subdivision 47: That no amendment shall have the effect to extend the period of its existence beyond the time fixed by its original act of incorporation, but a new corporation may be formed to which the expiring corporation may assign simply its properties and property rights."

(g). Amend by adding section 3. "No corporation shall have the right or be permitted to do business in this State unless such corporation could be formed under the laws of this State and authorized to do business under the provisions of this act."

3. That the Senate concur in the following House amendments:

Add the following subdivisions:

(a). "41. The improvement of rivers and other waterways in this State and to render the same navigable for steam vessels and other water craft, with the authority to charge and collect tolls for the navigation of such rivers and waterways."

"42. The protection, preservation, and propagation of fish and game."

(b). Amend subdivision 29 on page 4 by striking out all in lines 1 and 2 after the word "money," in line 1.

(c). Amend by adding subdivision 43 as follows: "43. For the organization and maintenance of volunteer fire companies."

(d). Amend by adding subdivision 45, "the erection and maintenance of sanitariums."

(e). Amend subdivision 17 so that it will hereafter read as follows: "The erection or repair of any building or improvement, and the accumulation and loaning of money for said purposes, And for the purchase, sale and subdivision of real property in towns, cities and villages and their suburbs not extending more than two miles beyond their corporate limits, and for the accumulation and loaning of money for that purpose."

(f). Add subdivision 46, as follows: "The organization of fire, marine, life and live stock insurance companies."

(g). Amend subdivision 5 by ad-

ding after the word "cemetery" the words "or crematory."

(h). Amend by adding subdivision 47, "to construct steam and electric plows for breaking, cultivating and draining of lands.

All of which is respectfully submitted.

WALTER TIPS,  
W. H. BROWNING,  
W. M. IMBODEN,  
R. E. STEELE,  
J. M. MCKINNEY.

Committee on part of the Senate.

E. H. ROGAN,

TURNER,

SLAYDEN.

HENDERSON of Lamar,

H. K. WHITE.

Committee on part of House of Representatives.

Senator Jester moved to adopt the report.

Senator Yoakum moved to postpone consideration till tomorrow morning and that it be printed in the journal.

Carried.

#### HOUSE MESSAGE.

#### HOUSE OF REPRESENTATIVES.

AUSTIN, TEXAS, March 24, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate that the House has adopted the report of the free conference committee to whom was referred the differences between the two Houses on Senate substitute deficiency appropriation bill for substitute House deficiency appropriation bills Nos. 190 and 240.

Respectfully,

CHESTER HAILE,

Acting Chief Clerk House of Representatives.

The Chair gave notice of signing, and did sign.

House bill No. 561, entitled "An act to incorporate the city of Houston and grant a new charter to the said city of Houston,"

After its caption had been read.

On motion of Senator Dickson, Senate adjourned to to-morrow morning at 10 o'clock.

#### SIXTY-FOURTH DAY.

SENATE-CHAMBER,

AUSTIN, TEXAS, March 25, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

29—Senate

#### PRESENT—26.

Agnew,	Jester,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Browning,	McKinney
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.

#### ABSENT—3.

Baldwin,	Kearby.
Greer,	

#### EXCUSED—2.

Swayne,	Whitaker.
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Prayer by the chaplain, Dr. Briggs, as follows:

Our Father, visit us everyone according to our personal need. Help us to be steadfast during the days of labor that yet remain. May there be no break in our constancy, no flaw nor hesitation in our fidelity, and may we not spare ourselves in the service of man, which is also the service of God and his truth. And while we toil give us the sense of Thy nearness. In every wind that blows may we catch some odor from heaven. And as the days come and go may they but bring us nearer to Thee and to the land where no flower fades and no worm eats the bud of summer. And to Thy name be all the praise. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Steele, the reading of the same was suspended.

On motion of Senator Lawhon, the journal of yesterday, page 467, was corrected to show that Senator Baldwin's motion to table, and not to recommit, was readopted.

On motion of Senator Crowley, the journal of yesterday was corrected to show that his amendment, page 470, was \$100,000, and not \$1,000,000.

On motion of Senator Steele, the journal of yesterday, page 468, was corrected to show that his motion was to reconsider the vote by which the Senate refused to strike out article 429a.

#### PETITIONS AND MEMORIALS.

By Senator Cranford:

Petitions from citizens of Delta county against diminishing jurisdiction of the county court of that county.